

ERSKINE & TULLEY
A PROFESSIONAL CORPORATION
MICHAEL J. CARROLL - STATE BAR #50246
220 Montgomery Street, Suite 303
San Francisco, California 94104
Telephone: (415) 392-5431

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BOARD OF TRUSTEES OF THE WESTERN)	NO. C 06 3189 MEJ
STATES INCOME SECURITY FUND,)	
Plaintiff,)	<u>JUDGMENT PURSUANT</u>
)	<u>TO STIPULATION</u>
vs.)	ORDER
)	
CHIMES PRINTING, INCORPORATED, etc.,)	
)	
Defendant.)	
)	
)	

It appearing that Plaintiffs BOARD OF TRUSTEES OF THE WESTERN STATES INCOME SECURITY FUND, through their attorneys and defendant, CHIMES PRINTING, INCORPORATED, a California corporation, also known as CHIMES PRINTING, INC., and as CHIMES PRINTING, have stipulated that Plaintiffs have and recover judgment from Defendants and it appearing that the Stipulation is in all respects proper and that the stipulation provides for judgment against defendant in the amount of \$15,093.17,

IT IS HEREBY ORDERED AND ADJUDGED that Plaintiffs BOARD OF TRUSTEES OF THE WESTERN STATES INCOME SECURITY FUND, have and recover judgment against CHIMES PRINTING, INCORPORATED, a California

1 corporation, also known as CHIMES PRINTING, INC., and as CHIMES
2 PRINTING, in the amount of \$15,093.17, which amount is composed of the
3 following:

4 a. Amounts due and unpaid to the Plaintiff Trust Fund for
5 the period July 2005 through May 2006 in the total amount of
6 \$14,305.67; and

7 b. Attorneys fees and costs due pursuant to contract in
8 the amount of \$787.50.

9 IT IS FURTHER ORDERED AND ADJUDGED and agreed by the parties
10 hereto that an abstract of judgment will be recorded but execution
11 will not issue on the judgment so long as defendant fully complies
12 with the following conditions:

13 1. Defendant shall make payments of all ongoing amounts to
14 become due to the WESTERN STATES INCOME SECURITY FUND pursuant to
15 contract between defendants and District Council No. 2 for hours
16 worked by defendant's employees, commencing with payment for June 2006
17 hours due on or before July 20, 2006 and continuing until the full
18 amount of this judgment is paid. Each of said payments will be made
19 by check payable to WESTERN STATES INCOME SECURITY FUND and sent to
20 the administrator, Associated Third Party Administrators, P.O. Box
21 2640, Pasadena, CA 91102.

22 2. Defendant shall pay the total amount of this judgment
23 in weekly installment payments of \$1,750.00 commencing on July 3, 2006
24 and continuing on each Monday thereafter until the entire sum has been
25 paid. Said installment payments will be made by check payable to the
26 WESTERN STATES INCOME SECURITY FUND and sent to the attention of the
27 attorney Thomas A. McDonough, Donaldson & Cornwall, 15708 Pomerado
28 Road, Poway, CA 92064.

1 3. Plaintiff and Defendant each understand and agree that
2 any modification of payments must be made in writing and agreed to by
3 both the Plaintiff and the Defendant.

4 IT IS FURTHER ORDERED AND ADJUDGED that upon failure of the
5 Defendant to make any of their monthly contribution payments pursuant
6 to the collective bargaining agreement as set forth in paragraph 1
7 above, and in the timely manner as required above, and pursuant to the
8 terms of this stipulation as set forth in paragraph 2, execution on
9 the entire outstanding balance of the judgment shall issue only after
10 ten (10) days written notice to the Defendant that Plaintiff or
11 Plaintiff's attorney declares a default and intends to file a
12 Declaration stating that a default has occurred on the part of the
13 defendant. Defendant waives notice of any hearing held by the court
14 upon the earlier execution of this judgment of Plaintiff's
15 declaration.

16 This judgment shall cover only the amounts paid pursuant to
17 this stipulated judgment. Plaintiff specifically does not waive the
18 right of the Trust Fund to audit the employer for any time period not
19 previously audited and to collect any additional monies found
20 delinquent as a result of an audit.

21 Dated: July 31, 2006

